

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CHRISTIAN KAPS, ET AL.)	
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APPLN. NO.: 10/565,226)	ART UNIT: 1649
)	
FILED: JULY 10, 2006)	EXAMINER:
)	GUCKER, STEPHEN
USE OF CHEMOKINES, AND)	
PHARMACEUTICAL PREPARATIONS)	
CONTAINING THE SAME)	

CONFIRMATION NO.: 2239
CUSTOMER NO.: 2071

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Sir:

This is in response to the restriction/election requirement made in the office action re-mailed on May 7, 2009 (the "Office Action"), wherein the Examiner issued a requirement for restriction of this application to one of the identified groups of claims of this application and further issued an election of species requirement.

Responsive to the restriction requirement, Applicant hereby elects the invention of Group I (Claims 26-29). At least Claims 21-23, 26-29, 32-34, 36-37 and 39-40, are deemed readable thereon.

Responsive to the election of species requirement, Applicant elects the species CXCL7, at least Claims 21-23, 26, 29, 32-34, 36-37 and 39-40 being deemed readable thereon. With respect to mixture Claim 29, Applicant elects the mixture of CXCL7 and CXCL9, at least Claims 21-23, 26, 29, 32-34, 36-37 and 39-40 being deemed readable thereon.

This response is made in an effort to expedite prosecution, but for the avoidance of doubt, Applicant in no way concedes the accuracy of the Examiner's contentions set forth in section 2, pgs. 2-3, of the Office Action.

Favorable further action on this application is solicited.

Respectfully submitted,

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CERTIFICATE OF SUBMISSION

The undersigned hereby certifies that this document and any document referenced as accompanying this document are being filed with the United States Patent and Trademark Office via the EFS-web filing system on the date shown below.

Date: May 28, 2009

Signed: /Jane L. Hartdegen/
Jane L. Hartdegen